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**BEFORE THE ARIZONA CORPORATION COMMISSION**

**COMMISSIONERS**

JEFF HATCH-MILLER, Chairman  
WILLIAM A. MUNDELL  
MARC SPITZER  
MIKE GLEASON  
KRISTIN K. MAYES

Arizona Corporation Commission  
**DOCKETED**

APR 11 2005

APR 12 2005

DOCKETED BY

NR

AZ Corporation Commission  
Director Of Utilities

IN THE MATTER OF THE APPLICATION OF  
CHARLES BELLOWES DBA JB PAYPHONES FOR  
A CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE CUSTOMER-OWNED  
PAY TELEPHONE SERVICE IN THE STATE OF  
ARIZONA.

DOCKET NO. T-04233A-04-0057

DECISION NO. 67757

**ORDER**

Open Meeting  
April 5 and 6, 2005  
Phoenix, Arizona

**BY THE COMMISSION:**

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

**FINDINGS OF FACT**

1. On January 27, 2004, Charles Bellows dba JB Payphones ("Applicant") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona.

2. In Decision No. 55817 (December 10, 1987), the Commission found that COPT providers were public service corporations subject to the jurisdiction of the Commission.

3. In Decision No. 57797 (April 8, 1992), the Commission adopted A.A.C. R14-2-901 through R14-2-909 to regulate COPT providers.

4. Decision No. 58535 (February 14, 1994) adopted a Generic Tariff that establishes rates and minimum service standards applicable to COPT service.

5. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT Certificates without a hearing.

6. Applicant has requested that a Certificate be granted and has indicated that it will

1 provide COPT service pursuant to the rates, terms and conditions specified in the Generic COPT Tariff.

2 7. According to the application, Applicant does not presently provide COPT services in  
3 Arizona.

4 8. On February 28, 2005, the Commission's Utilities Division Staff ("Staff") filed a Staff  
5 Report, recommending approval of the application without a hearing.

6 9. Staff stated that the Applicant has provided a copy of its customer information placard  
7 in compliance with the Generic Tariff.

8 10. Staff also stated that increased pay telephone availability is in the public interest.

9 **CONCLUSIONS OF LAW**

10 1. Applicant is a public service corporation within the meaning of Article XV of the  
11 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

12 2. The Commission has jurisdiction over Applicant and the subject matter of the  
13 application.

14 3. The provision of COPT service in Arizona by Applicant is in the public interest.

15 4. Applicant is a fit and proper entity to receive a Certificate for providing COPT service  
16 in Arizona.

17 5. Staff's recommendation in Findings of Fact No. 8 is reasonable and should be  
18 adopted.

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ORDER

IT IS THEREFORE ORDERED that the application of Charles Bellows dba JB Payphones for a Certificate of Convenience and Necessity for authority to provide customer-owned pay telephone service in Arizona shall be, and the same is, hereby granted.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

  
CHAIRMAN

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 11<sup>th</sup> day of April, 2005.

  
BRIAN C. McNEIL  
EXECUTIVE SECRETARY

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_

AP:mj

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CHARLES BELLOWS DBA JB PAYPHONES

DOCKET NO:

T-04233A-04-0057

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